

1 APPEARANCES (Continued)

2 ILLINOIS COMMERCE COMMISSION, by
3 MS. BARBARA LANKFORD and
4 MS. KAREN BUCKLEY

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14 SULLIVAN REPORTING COMPANY, by
15 Carla L. Camiliere, CSR

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I N D E X

Witnesses: Re - Re- By
 Direct Cross direct cross Judge
 (None presented.)

E X H I B I T S

Number For Identification In Evidence

(None marked.)

1 JUDGE RILEY: Pursuant to the direction of the
2 Illinois Commerce Commission, I now call Docket
3 01-0608.

4 This is an application by Calpoint,
5 (Illinois), LLC, for certificate of local and
6 interexchange authority to operate as a facility
7 based carrier for telecommunication services in
8 Illinois.

9 Counsel, for the applicant would you
10 enter an appearance for the record, please.

11 MS. LEIBMAN: My name is Sarah Lieberman. And
12 I'm here on behalf of Calpoint (Illinois), LLC.

13 JUDGE RILEY: Your office address please.

14 MS. LEIBMAN: 701 Pennsylvania Avenue north west,
15 Washington D. C. 20004.

16 JUDGE RILEY: Thank you.

17 And, Staff, we have represented by
18 Barbara Lankford.

19 And Ms. Buckley, you said is detained in
20 a meeting?

21 MS. LEIBMAN: Yes.

22 JUDGE RILEY: We were originally scheduled to go

1 to hearing today.

2 And it was my understanding that neither
3 Staff nor Ms. Lieberman received timely notice.

4 And I would state for the record, that a
5 September 28, 2001 notice was served electronically
6 in this matter.

7 However, on the service list it has a
8 Mr. Samuel M. Surloff for the applicant, vice
9 president, general counsel in Los Angeles,
10 California.

11 Ms. Leibman, you said it was not
12 transmitted to you very recently?

13 MS. LEIBMAN: I still have not received that
14 from the client.

15 JUDGE RILEY: You said you were not on the
16 service list?

17 MS. LEIBMAN: I still haven't received it from
18 the Commission either.

19 JUDGE RILEY: That means you're not on the
20 service list. And Ms. Cooper is the staff member,
21 that I understand is now incorrect.

22 MS. LEIBMAN: That's incorrect, yes.

1 She was not informed either. She didn't
2 receive any notice or anything either.

3 JUDGE RILEY: Okay.

4 Our next order of business then is to
5 simply set a date on this matter which is mutually
6 agreeable to all the parties.

7 I think I can say without fear or
8 contradiction that October is out of the question?

9 MS. LEIBMAN: Yes.

10 MS. LEIBMAN: What, Ms. Lankford, what
11 information has to be exchanged at this point, if
12 any?

13 MS. LANKFORD: I spoke with Ms. Leibman the
14 other day. And we had discussed several different
15 things.

16 I have most everything that I need I
17 believe.

18 JUDGE RILEY: All right.

19 MS. LANKFORD: So, I mean, I'm pretty much ready
20 to proceed. I'm not sure about,
21 Ms. Buckley.

22 Ms. Leibman, have you spoken with Ms.

1 Buckley yet?

2 MS. LEIBMAN: No, I haven't.

3 JUDGE RILEY: Well, the absence of Ms. Buckley
4 is turning into a problem.

5 Ms. Lankford, when did you find out she
6 was called to a meeting.

7 MS. LANKFORD: Just a few minutes ago. I was
8 just told she was in a meeting. And I don't know
9 if she is even in the building here.

10 JUDGE RILEY: All right. We're going to have to
11 proceed without her and just assume that we're
12 going to be giving her enough time to get whatever
13 information she may need, if she needs any
14 information from the Applicant.

15 We will have to do that on an expedited
16 basis then.

17 My calendar for November between other
18 hearings and holidays is filled up pretty much.

19 Would the parties take a look at
20 November 15.

21 MS. LEIBMAN: I will be out of town on the 14,
22 15, and 16th.

1 JUDGE RILEY: Okay. That takes us to -- is the
2 prior week a possibility or is that enough time.

3 MS. LEIBMAN: I could do it that week.

4 MS. LEIBMAN: The following week I'm -- I mean,
5 the previous week would work for me so long as --
6 well, I think we could provide whatever information
7 needs to be provided to Ms. Buckley and be prepared
8 during the week of November 5.

9 JUDGE RILEY: Okay. I do have other matters up,
10 but I have a lot of open time.

11 To go to the 8th would be at least two
12 weeks.

13 Are the parties available on the
14 afternoon of the 7th?

15 MS. LEIBMAN: I am.

16 MS. LANKFORD: I have a hearing at 2:00 o'clock
17 that day.

18 JUDGE RILEY: Okay. I don't want to move it
19 forward.

20 Ms. Leibman, is the Applicant under any
21 particular time constraints themselves or can we
22 move this to the week of the 19th?

1 Except Thanksgiving is that week.

2 JUDGE RILEY: I understand.

3 MS. LEIBMAN: So if it's early in the week, that

4 would be great.

5 JUDGE RILEY: I don't want to buck up against

6 Thanksgiving at all.

7 How about Monday, November 19th?

8 MS. LEIBMAN: That would be good for us.

9 MS. LANKFORD: That would be good for me too,

10 sir.

11 MS. LEIBMAN: I just have one request, my

12 clients are in California.

13 JUDGE RILEY: Right.

14 MS. LEIBMAN: So if we could try to schedule it

15 a little bit later in the day, that would be good.

16 JUDGE RILEY: If I were to set this for would

17 11:00 a.m. be too late.

18 MS. LEIBMAN: No, that would work.

19 JUDGE RILEY: Central time, 9:00 o'clock a.m.,

20 California time.

21 MS. LEIBMAN: Okay.

22 JUDGE RILEY: I will say we can't make this

1 subject to Ms. Buckley's approval.

2 MS. LANKFORD: She's here.

3 JUDGE RILEY: Ms. Buckley, thank you for joining
4 us. We have just decided on 11-19, 11:00 a.m.
5 central time in the hearing 01-0608, the matter of
6 Calpoint.

7 Can you check your calendar for us.

8 MS. BUCKLEY: The calendar looks pretty good
9 right now.

10 JUDGE RILEY: Let's take full advantage of that
11 then.

12 MS. BUCKLEY: Okay.

13 JUDGE RILEY: Was there anything else, we needed
14 to discuss.

15 MS. BUCKLEY: Whose all present?

16 JUDGE RILEY: The only parties present are Ms.
17 Leibman, who is counsel for applicant, and you, and
18 Ms. Lankford.

19 We are just having a status session to
20 select a date for this.

21 MS. BUCKLEY: Good. Okay.

22 Then November 19th would be good.

1 JUDGE RILEY: Now, have you received all the
2 information that you need to prepare for this
3 hearing?

4 MS. BUCKLEY: Pretty much.

5 But, you know, as far as I know, I have
6 all the things that I need.

7 JUDGE RILEY: Okay.

8 MS. BUCKLEY: I take that back, I think they
9 were issuing a bond of some sort.

10 MS. LEIBMAN: Yes.

11 MS. BUCKLEY: Was that finalized?

12 MS. LEIBMAN: Yes, it was. And I can provide
13 you some information on that.

14 MS. BUCKLEY: Right now, that's the only thing I
15 have on the top of my head.

16 JUDGE RILEY: All right.

17 Ms. Buckley, I will let you and
18 Ms. Leibman coordinate that information.

19 MS. LEIBMAN: Ms. Buckley, I will call you and
20 we can talk off the record bout what you need for
21 that.

22 MS. BUCKLEY: Sometime in the first week of

1 November, that would be plenty of time.

2 MS. LEIBMAN: Okay. I should be able to get you
3 some information early next week.

4 MS. BUCKLEY: Thank you.

5 JUDGE RILEY: If that's all we need to discuss
6 then, I will direct that this matter be continued
7 for hearing to November 19, at 11:00 a.m. central
8 time.

9 And we will reconvene telephonically at
10 that point.

11 Is that acceptable?

12 MS. LEIBMAN: Yes.

13 MS. LANKFORD: Yes.

14 MS. BUCKLEY: Great.

15 (Whereupon, these proceedings
16 were continued to
17 November 19, 2001 at 11:00.)

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